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SIPDIS

DEPT FOR IO/RHS (R.JOVIN), DRL/MLGA (L.SICADE), AND EUR/CE
(J.HIRONIMUS/K.GARRY)

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TAGS: PHUM PREL UN SZ

SUBJECT: UNGA THIRD COMMITTEE: SWISS RESPONSE TO USG'S
2008 HUMAN RIGHTS PRIORITIES

REF: A. STATE 95334

1B. BERN 323

Classified By: POL/E Counselor Richard Rorvig; reasons 1.4(b) and (d).

11. (C) Summary: Switzerland agrees with the USG's view on no-action motions, and is likely to support country-specific resolutions on Iran, Burma, and the DPRK. Swiss Department of Foreign Affairs (DFA) contacts expressed some surprise at the USG's approach on Belarus, and said they would seek input from the Swiss embassy in Minsk. DFA contacts said that the GOS likely would take a position on possible resolutions on Zimbabwe and Sudan based on the outcome of discussions on those countries in the Human Rights Council (HRC). The GOS is engaged in preparations for the Durbin II conference in April 2009, and the Swiss DFA reports that freedom of expression and defamation of religion are topics that are heavily debated in the Geneva Working Groups preparing for the conference. Swiss contacts underlined that their goal naturally is to defend free speech and freedom of religion in the course of the Durbin II process. They reiterated that they believe it would be important for the USG to engage in the Durbin II process, in order to help to form "a common voice among the Western Group" of countries. The GOS is open to the approaches suggested in reftel A for maintaining the momentum of the Prisoners of Conscience Declaration. DFA contacts reiterated (reftel B) that they "would like to see the USG engaged in the HRC," and asked what the USG's plans are with regard to the 2011 HRC review. End Summary.

12. (SBU) Poloff discussed the message in reftel A on September 9 with Ralf Heckner, Head of the Human Rights Section in the Department of Foreign Affairs (DFA). Heckner was joined in the meeting by his deputy, Mirko Giulietti, and by Olivier Zehnder, from the DFA's UN Affairs Coordination Section. (Note: Post did not approach the office of the Swiss president because the Swiss presidency rotates annually and currently is held by the Home Affairs Minister, who has no substantive responsibility for international human rights issues. The Swiss Executive is a seven-member Cabinet; there is no prime minister. End Note)

No-action Motions

13. (SBU) Heckner said that the GOS continues to agree with the USG's view on no-action motions, and believes that issues in the Third Committee should be discussed in substance and not dismissed procedurally.

Country-specific Resolutions

¶4. (C) Heckner provided the following preliminary feedback:

- Iran: The GOS likely would vote for a "factual" resolution tabled by Canada. GOS probably would follow the policy of the past two years and vote "yes" on the resolution, but not co-sponsor it.

- Burma and DPRK: The GOS likely would vote for resolutions, assuming the EU tables them.

- Belarus: Heckner said he was a bit surprised by the USG's assessment that a resolution could be counterproductive, and said he planned to seek the views of the Swiss embassy regarding the current situation in Belarus and the release of political prisoners there.

- Zimbabwe and Sudan: The GOS likely would take a position in light of the outcome of discussions on Zimbabwe and Sudan in the Human Rights Council (HRC). Heckner said he would get back to polooff in a couple of weeks.

Freedom of Expression/Defamation of Religion

¶5. (C) While noting that many European countries place some limits on free speech (e.g., prohibitions on hate speech), Heckner concurred that freedom of expression and defamation of religion increasingly are under pressure from countries or organizations seeking to establish new norms. He said that these two topics are heavily debated in the Geneva Working Groups that are preparing for the April 2009 Durbin II

conference. Heckner underlined that the Swiss goal in that process naturally is to defend free speech and freedom of religion. He reiterated (reftel B) that he thought it would be important for the USG to engage in the Dublin II preparatory process, to help form "a common voice among the Western Group" of countries.

¶6. (C) Whether engaged directly in the Durbin II preparations or not, Heckner stressed that everyone should do whatever they can to avoid explosive issues. In that context, he remarked that Holocaust Remembrance Day will occur during the Dublin II meeting, and that it will be important to avoid giving any groups a "pretext for activism or racial attacks."

Heckner underlined that the GOS has been encouraged by "the pro-Israel community" in Switzerland to remain engaged in the Dublin II process. He said that, thus far, negotiations in preparation for Durbin II had been about process, not substance. Heckner made a point of emphasizing that, while the Durbin II conference will be held in Switzerland in April 2009, it is not being organized or hosted by the Swiss government.

Prisoners of Conscience

¶7. (U) Heckner said that he thought the GOS could support either of the approaches suggested in reftel A for maintaining the momentum behind the Prisoners of Conscience Declaration.

Human Rights Council

¶8. (SBU) Heckner reiterated his concern (reftel B) that the USG is "putting its resources into the Third Committee while the government of Switzerland is putting major resources into the Human Rights Council (HRC)." He again said that the GOS "would like to see the USG -- a very important voice -- engaged at the HRC." In light of the USG's decision to disengage from the HRC, Heckner asked what the USG's plans are with regard to the 2011 HRC review. He said that initial preparations for that review will be on the Swiss agenda for

¶2009. Heckner also said that he thinks the report of the HRC should be discussed in the Third Committee.

CARTER